

adhesive material is cured to permanently retain the balance weight on the rotatably unbalanced driveshaft.

In the Final Rejection dated November 5, 2002, the Examiner provided two new bases for the rejection of Claim 44. First, the Examiner rejected Claim 44 under 35 U.S.C. 103(a) as being obvious in view of the combined teachings of the admitted prior art in combination with the Dyckma, Jedlicka et al., Bussard, and Bethea references. Second, the Examiner rejected Claim 44 under 35 U.S.C. 103(a) as being obvious in view of the combined teachings of the admitted prior art in combination with the Dyckma, Jedlicka et al., Bussard, and Bethea references, and further in combination with the Ellis, Jr. and Fritz references. These rejections are respectfully traversed and will be addressed together.

The Examiner correctly defines the state of the relevant art as being set forth in the admitted prior art, namely, that an adhesive material can be cured to secure a balance weight to an unbalanced driveshaft. The Examiner continues, however, by stating that the Dyckma, Jedlicka et al., Bussard, and Bethea references show that it is known to move the two articles toward each other such that a first portion of adhesive is between the articles and a second portion of the adhesive is not between the two articles "in order to form a flange to more securely bond the articles together." Lastly, the Examiner states that the Ellis, Jr. and Fritz references disclose the use of processes for accelerating the curing time of adhesives in balancing rotatable articles.

The two rejections are respectfully traversed because the Dyckma, Jedlicka et al., Bussard, and Bethea references are all non-analogous art relative to the claimed invention and, therefore, should not be considered when evaluating the patentability of this invention. A reference is considered to be non-analogous art if it is neither (1) within the field of applicant's endeavor nor (2) reasonably pertinent to the particular problem with which the inventor was concerned. In the context of evaluating patentability, it has been established that a person of ordinary skill in field of art of the invention would not even consider the teachings of non-analogous art to be relevant.

Thus, non-analogous art should not be considered when evaluating the patentability of an invention.

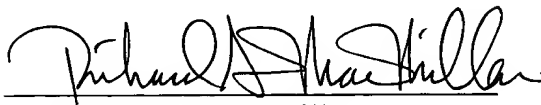
In this instance, it is clear that none of the Dyckma, Jedlicka et al., Bussard, and Bethea references are within the field of the applicant's endeavor, which is a method of manufacturing a driveshaft that is balanced for rotation about an axis. The Dyckma reference relates to a method of manufacturing a beaded fabric. The Jedlicka et al. reference relates to a method of manufacturing a full width array of integrated circuit chips. The Bussard reference relates to a method of applying a hologram to a textile fabric. Lastly, the Bethea reference relates to method of manufacturing a tile bath enclosure. Clearly, none of these references is within the field of endeavor of the claimed invention.

It is further clear that none of these references is reasonably pertinent to the particular problem with which the inventor was concerned, namely, the problems associated with the use of adhesives to secure balance weights to a driveshaft tube to balance same for rotation. Each of the Dyckma, Jedlicka et al., Bussard, and Bethea references relates to a method of attaching an article to a static or non-rotatable structure. Thus, none of such references is related to the problems associated with the securement of an article (such as the claimed balance weight) to a movable structure (such as the claimed rotatable driveshaft). Consequently, although such references relate generally to adhesive attachments methods, none of such references is reasonably pertinent to the particular problem with which the inventor was concerned.

In this instance, none of the subject matter contained in any of the Dyckma, Jedlicka et al., Bussard, and Bethea references would have logically commended itself to the attention of an inventor in considering the problems associated with the balancing of rotatable driveshafts. This problem, which is specifically recited in Claim 44 and is a necessary essential function or utility of the subject matter of the invention, is not addressed in any of these references. Thus, the teachings of the

Dyckma, Jedlicka et al., Bussard, and Bethea references should not be considered at all in connection with the evaluation of the patentability of the claimed invention.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard S. MacMillan", written over a horizontal line.

Richard S. MacMillan

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